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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,925	06/04/2001	Joseph M. Silva	12-1109	4443

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EXAMINER

DEAN, RAYMOND S

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/873,925

Applicant(s)

SILVA, JOSEPH M.

Examiner

Raymond S. Dean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 6 - 9, 12, 14, and 16 - 24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6 - 9, 12, 14, and 16 - 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6 – 7, 9, 12, 14, and 16 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeMont (US 6,351,640) in view of Hwang (US 6,532,372).

Regarding Claim 6, DeMont teaches a method for initiating a phone call between first and second users, the method comprising the steps of: receiving a call initiation request from the first user by a communication device of the second user where the call initiation request represents a desire to establish a phone call with the specific second user identified by the first user (Figures 10, 11, Column 6 lines 23 – 59, Column 8 lines 12 – 17, lines 43 – 46, DeMont teaches a wireless terminal that comprises the beacon, a user of said wireless terminal can therefore take an active role and beam or transmit the identifying signals, which are the call initiation requests, to another particular user of a wireless terminal), the call initiation request including a primary phone number corresponding to a first user, the call initiation request being a communication not part of a protocol used to establish a phone call (Column 4 Table 1, Column 6 lines 23 – 59, the initiation or establishment of the call occurs after the identifying signals are

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received); where the primary phone number is not obtained as part of an incoming phone call initiated by the first user (Column 4 Table 1, Column 6 lines 23 – 59, the initiation or establishment of the call occurs after the identifying signals are received) and requesting an authorization from a second user to initiate the call by which the second user consents to the call (Column 6 lines 35 – 59, the alphanumeric tags displayed to the user is the request for authorization); dialing the primary phone number upon receiving the authorization from the second user (Column 6 lines 23 – 59).

DeMont does not teach storing the primary phone number to a computer readable memory associated with the communication device of the second user.

Hwang teaches storing a primary phone number to a computer readable memory associated with the communication device of a user (Column 2 lines 17 – 21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the memory and method taught in Hwang in the mobile device of DeMont for the purpose of enabling the user of said mobile device to store phone numbers for shortcut dialing as taught by Hwang.

Regarding Claim 14, DeMont teaches a wireless call management system comprising a request module for transmitting outgoing call initiation requests to a specific remote user based on a local request from a local user where the local user identifies the specific remote user with which a call is desired to be established (Figures 10, 11, Column 6 lines 23 – 59, Column 8 lines 12 – 17, lines 43 – 46, DeMont teaches a wireless terminal that comprises the beacon, a user of said wireless terminal can therefore take an active role and beam or transmit the identifying signals, which are the

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call initiation requests, to another particular user of a wireless terminal), the outgoing call initiation requests including a phone number corresponding to the local user (Column 4 Table 1, Column 6 lines 23 – 59); an initiation module for requesting authorizations from the local user based on incoming call initiation requests by which the local user consents to the call from a remote user, wherein the phone number is first obtained by the initiation module upon receipt of the primary phone number as part of the incoming call initiation request from a remote user (Figure 10, Column 4 Table 1, Column 6 lines 23 – 59, Column 8 lines 44 – 47, a user of one of the mobile devices can receive requests from one of the other mobile devices, said requests will be displayed as alphanumeric tags), where the primary phone number is not obtained as part of an incoming phone call (Column 4 Table 1, Column 6 lines 23 – 59, the initiation or establishment of the call occurs after the identifying signals are received) and a wireless phone user interface for generating an outgoing phone call to the phone number of the remote user based on the local requests by the remote user for initiation of a phone call (Figure 10, Column 4 Table 1, Column 6 lines 23 – 59, Column 8 lines 44 – 47), the user interface further transmitting authorization requests to the local user based on the incoming call initiation requests (Figure 10, Column 4 Table 1, Column 6 lines 23 – 59, Column 8 lines 44 – 47).

DeMont does not teach a computer readable memory for storing the phone numbers corresponding to the remote users, the initiation module further operable to store the phone number of the remote user associated with the incoming call initiation

requests in the computer readable memory and to delete the phone number from the computer readable memory at a subsequent time.

Hwang teaches a computer readable memory for storing the phone numbers corresponding to the remote users (Column 2 lines 17 – 21) and deleting the phone number from the computer readable memory at a subsequent time (Column 2 lines 17 – 21, the memory is an EEPROM, which can be erased when the user desires).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the memory and method taught in Hwang in the mobile device of DeMont for the purpose of enabling the user of said mobile device to store phone numbers for shortcut dialing as taught by Hwang.

Regarding Claim 22, DeMont a method for initiating a phone call between the first and second users, the method comprising the steps of: receiving the first user's call initiation request at a communication device of the second user representing a desire to establish a phone call with the specific second user (Figures 10, 11, Column 6 lines 23 – 59, Column 8 lines 12 – 17, lines 43 – 46, DeMont teaches a wireless terminal that comprises the beacon, a user of said wireless terminal can therefore take an active role and beam or transmit the identifying signals, which are the call initiation requests, to another particular user of a wireless terminal), the call initiation request including a primary phone number corresponding to a first user, the call initiation request being a communication not part of a protocol used in establishing a phone call (Column 4 Table 1, Column 6 lines 23 – 59, the initiation or establishment of the call occurs after the identifying signals are received); where the primary phone number is not obtained as

part of an incoming phone call initiated by the first user (Column 4 Table 1, Column 6 lines 23 – 59, the initiation or establishment of the call occurs after the identifying signals are received); requesting an authorization from a second user to initiate the call by which the second user consents to the call (Column 6 lines 35 – 59, the alphanumeric tags displayed to the user is the request for authorization).

DeMont does not teach storing the primary phone number to a computer readable memory associated with the communication device of the second user and deleting the primary phone number from the memory upon receiving denial from the second user.

Hwang teaches storing a primary phone number to a computer readable memory associated with the communication device of a user (Column 2 lines 17 – 21) and deleting the primary phone number from the memory upon receiving denial from the second user (Column 2 lines 17 – 21, the memory is an EEPROM, which can be erased when the user desires).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the memory and method taught in Hwang in the mobile device of DeMont for the purpose of enabling the user of said mobile device to store phone numbers for shortcut dialing as taught by Hwang.

Regarding Claim 7, DeMont in view of Hwang teaches all of the claimed limitations recited in Claim 6. DeMont further teaches transmitting an authorization request to a wireless phone user interface (Column 6 lines 35 – 59).

Regarding Claim 19, DeMont in view of Hwang teaches all of the claimed limitations recited in Claim 6. Hwang further teaches deleting the primary phone number from the memory after a predetermined period of time (Column 2 lines 17 – 21, the memory is an EEPROM, which can be erased).

Regarding Claims 9, 23, DeMont in view of Hwang teaches all of the claimed limitations recited in Claims 6, 22. DeMont further teaches receiving a line of sight signal, the line of sight signal including the call initiation request (Figure 2A, Column 4 lines 14 – 20, Column 6 lines 48 – 59, the fact that the beacon has a light emitting diode means that it has to be line of sight).

Regarding Claim 12, DeMont in view of Hwang teaches all of the claimed limitations recited in Claim 6. Hwang further teaches deleting the primary phone number from the memory upon receiving a denial from a user (Column 2 lines 17 – 21, the memory is an EEPROM, which can be erased when the user desires).

Regarding Claim 16, DeMont in view of Hwang teaches all of the claimed limitations recited in Claim 14. DeMont further teaches a signaling system for transmitting the outgoing call initiation requests and receiving the incoming call initiation requests (Figure 10, Column 4 Table 1, Column 6 lines 23 – 59, Column 8 lines 44 – 47).

Regarding Claim 17, DeMont in view of Hwang teaches all of the claimed limitations recited in Claim 16. DeMont further teaches wherein the signaling system transmits and receives line of sight signals that enable the local user to specifically



identify the remote user with which a call is desired to be established (Figure 2A, 10, 11, Column 4 lines 14 – 20, Column 6 lines 12 – 17, lines 43 – 46).

Regarding Claim 18, DeMont in view of Hwang teaches all of the claimed limitations recited in Claim 17. DeMont further teaches an infrared transceiver for transmitting and receiving infrared signals (Figure 2A, Column 4 lines 14 – 20).

Regarding Claims 20, 24, DeMont in view of Hwang teaches all of the claimed limitations recited in Claims 19, 22. DeMont further teaches obtaining the primary phone number on receipt of the primary phone number as part of the call initiation request (Figure 10, Column 4 Table 1, Column 6 lines 23 – 59, Column 8 lines 44 – 47), receiving a line of sight signal, the line of sight signal including the call initiation request (Figure 2A, Column 4 lines 14 – 20, Column 6 lines 48 – 59, the fact that the beacon has a light emitting diode means that it has to be line of sight). Hwang further teaches storing the primary phone number (Column 2 lines 17 – 21).

Regarding Claims 21, DeMont in view of Hwang teaches all of the claimed limitations recited in Claims 19. DeMont further teaches dialing the primary phone number upon receiving the authorization (Column 6 lines 23 – 59).

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeMont (US 6,351,640) in view of Hwang (US 6,532,372), as applied to Claim 6 above, and further in view of Phillips (US 2002/0173297 A1).

Regarding Claim 8, DeMont in view of Hwang teaches all of the claimed limitations recited in Claim 6. DeMont in view of Hwang does not teach transmitting an authorization request to a landline connection.

Phillips teaches transmitting a signal to a landline connection (Section 0013, the call can be forwarded to a landline connection at work).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the call forwarding feature taught in Phillips in the mobile phone of DeMont in view of Hwang such that a user of said mobile phone can be reached on a land line at work or at home.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Raymond S. Dean

January 23, 2006

EDAN ORGAD  
PATENT EXAMINER/TELECOMM.

Lo 2/1/06